SECRET

CSI-0353/96
8 October 1996

MEMORANDUM FOR: Executive Director

VIA: Director, Center for the Study of Intelligence

FROM: John F. Pereira
Chief, Historical Review Group

SUBJECT: Courtesy Visit of JFK Assassination Records Review Board, 16 October 1996

REFERENCE: Memo for DCI fr C/HRG, dtd 13 June 96, Same Subject

(U) This memorandum provides background information for a meeting between you and the JFK Assassination Records Review Board (ARRB), which is scheduled for 16 October 1996 in your office between 9:00 and 10:00 a.m. The meeting was requested by ARRB Chairman, John Tunheim as a courtesy call.

(U) Background: Mr. Tunheim, recently appointed a federal judge in Minnesota, asked that he and the other four Board members have an opportunity to provide you with a brief description of the Board's purpose and activities. The Board's Executive Director, David Marwell, and General Counsel, Jeremy Gunn will also participate. The ARRB members were appointed by President Clinton in 1993 as required by statute. Their principal responsibility is to ensure public disclosure of all government records related to the assassination of President Kennedy.

(FOUO) Topics the Board May Discuss: The Board probably will discuss their concern about whether they will be able to complete their work by the congressionally-imposed deadline of October 1997. This concern relates to the very time-consuming process that the ARRB and its 30-person staff is obliged to use in reviewing all of the thousands of relevant documents that are redacted, which for CIA comprise the bulk of our documents.

(FOUO) The Board may also seek your personal commitment to continue the Agency's dedication of resources--people and computer capability--to the review of JFK documents. CIA has worked closely with the Board and its staff from the beginning.

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SUBJECT: Courtesy Visit of JFK Assassination Records Review Board, 16 October 1996

We have succeeded thus far in working out cooperative arrangements for resolving differences of opinion as to what information can be released to the public and what should be withheld because of sensitivities.

(U) The Board may also express interest in gaining access to records that are not part of the JFK records (the sequestered collection), but which the Board regards as possibly containing useful background information or leads for further inquiry. We have released some 227,000 pages of relevant Agency records thus far and are continuing to collaborate with the Board to identify additional information that can be released.

(U) Suggested Talking Points: You may want to emphasize the Agency's commitment to continuing the very positive relationship with the Board, including making people and computer expertise available to process relevant documents.

(S) You may want to assure the Board that CIA is determined to give the Board and designated staff full access to all assassination records, as required by the JFK statute. At the same time, it would be helpful to stress that there are certain categories of sensitive information that require continued protection and should not be released. Among the types of information contained in the JFK records that we need to protect are:

- Identities of agents and CIA officers who retired under cover.

- The Agency's relationships with liaison services, and information received from foreign governments.

  -- A specific example in this category is the Agency's current request to the Board to protect the liaison relationship with Australia, and to withhold documents received from Australia.

- Need to protect non-official cover.

  -- The Board is planning at its 15-16 October meeting to review documents that identify companies that provided commercial cover. We are arranging to have the DO brief the Board on the potential damage to the non-official cover program and companies involved if such cover is compromised.

SUBJECT: Courtesy Visit of JFK Assassination
Records Review Board

- Locations of certain stations and facilities.

-- In this latter connection, the Board is expected to consider at its 15-16 October meeting our request that the Warrenton Training Center not be disclosed as a CIA facility.

John F. Pereira

John F. Pereira

Attachments:
A. Memo to DCI, 13 June 96
B. List of Board Members
C. Biographies of Board members
Executive Director
General Counsel

SUBJECT: Courtesy Visit of JFK Assassination Records Review Board, 16 October 1996

DCI/CSI/HRG/JPereira:bas/30373 (8 Oct 96)

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13-00000

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CSI 0327/96
13 June 1996

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence
Executive Director
Director, Center for the Study of Intelligence

FROM: John F. Pereira
Chief, Historical Review Group

SUBJECT: Request of JFK Assassination Records Review Board for Courtesy Visit with DCI

1. Action Requested: Paragraph 4 below contains a recommendation for your approval. The Chairman of the JFK Assassination Records Review Board (ARRB), John Tunheim, has requested that you meet with him and the other four Board members at Headquarters Building some time in the next several months. He asks that the meeting be arranged to coincide with one of their monthly sessions, which are held in Washington. (The schedule of their meetings is attached.) The Board's Executive Director, David Marwell, would also participate.

2. Background: Mr. Tunheim, recently appointed a federal judge in Minnesota, would like to provide you with a brief description of the Board's purpose and activities. The Board has paid similar visits to the FBI, where they met with Director Freeh, and to NSA and the Secret Service. The ARRB members were appointed by President Clinton in 1993 as required by statute. Their principal responsibility is to ensure public disclosure of government records related to the assassination of President Kennedy. The statute grants the Board full access to all documents that are related to either the assassination or past investigations into the assassination.

3. CIA has worked closely with the Board and its staff from the beginning. The Board's Executive Director and we have worked out cooperative arrangements for resolving differences of opinion as to what information can be released to the public and what should be withheld because of sensitivities. We have released approximately 227,000 pages of relevant Agency records

SUBJECT: Request of JFK Assassination Records Review Board for Courtesy Visit with DCI

thus far, and are continuing to collaborate with the Board to identify additional information that can be released.

4. <u>Recommendation</u>: That you agree to meet with the JFK Assassination Records Review Board at a date to be determined.

John F. Pereira

Attachments:
A: ARRB Meeting Schedule
B: Biographies of Board Members

APPROVED:

Director of Central Intelligence Date

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SUBJECT: Request for JFK Assassination Records Review Board for Courtesy Visit with DCI

DCI/CSI/HRG/JPereira:bas/30373 (13 June 96)

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Assassination Records Review Board

Members:

Chair: John R. Tunheim (Federal judge, Minnesota)

Dr. Henry Graff (Professor Emeritus of History, Columbia University)

Dr. Kermit L. Hall (Dean, College of Humanities, Ohio State University)

Dr. William L. Joyce (Associate University Librarian, Princeton University)

Dr. Anna K. Nelson (Adjunct Professor of History, American University)

Dr. David G. Marwell ARRB Executive Director

Dr. T. Jeremy Gunn ARRB General Counsel

Assassination Records Review Board
600 E Street NW · 2nd Floor · Washington, DC 20530
(202) 724-0088 · Fax: (202) 724-0457

Assassination Records Review Board

The Honorable John R. Tunheim, Chair
Experience
State of Minnesota, Chief Deputy Attorney General, 1986-Present

State of Minnesota, Office of the Attorney General, Solicitor General, 1985-86

State of Minnesota, Office of the Attorney General, Manager, Public Affairs Litigation Division, 1984-85

Law Firm of Oppenheimer, Wolff, Foster, Shepard and Donnelly, Associate Attorney, 1981-84

Senior U.S. District Judge Earl Larson in Minneapolis, Law Clerk, 1980-81

United States Senator Hubert H. Humphrey, Staff Assistant, 1975-77

Education
J.D., University of Minnesota Law School, 1980

B.A., Concordia College, 1975

Dr. Henry F. Graff
Experience
Columbia University, Professor Emeritus of History, 1991- Present

Freedom Forum Media Studies Center, Senior Fellow, 1991-92

Columbia University, Department of History, Instructor to Full Professor, 1946-91, Chairman, 1961-64

Education
Ph.D., Columbia University, 1949

M.A., Columbia University, 1942

B.S., City College, 1941

Dr. Kermit L. Hall
Experience
The Ohio State University, Dean, College of Humanities, and Professor of History and Law, 1994 - Present

The University of Tulsa, Dean, College of Arts and Sciences and Professor of History and Law, 1992-94

University of Florida, Associate/Full Professor of History and Law, 1981-92

Wayne State University, Assistant/Associate Professor, Department of History, 1976-81

Vanderbilt University, Assistant Professor, Department of History, 1972-76

Education
Master of Study of Law, Yale University Law School, 1980

Ph.D., The University of Minnesota, 1972

M.A., Syracuse University, 1967

B.A., The University of Akron, 1966

Dr. William L. Joyce
Experience
Princeton University, Associate University Librarian for Rare Books and Special Collections, 1986-Present

The New York Public Library, Assistant Director for Rare Books and Manuscripts, 1981-1985

American Antiquarian Society, Worcester, Massachusetts, Curator of Manuscripts, 1972-81, Education Officer, 1988-81

William L. Clements Library, The University of Michigan, Manuscripts Librarian, 1968-72

Education
Ph.D., The University of Michigan, 1974

M.A., St John's University (N.Y.), 1966

B.A., Providence College, 1964

Dr. Anna K. Nelson
Experience
The American University, Adjunct Professor of History, 1992-Present, 1986-88

Arizona State University, Distinguished Visiting Professor, 1992

The American University, Associate Professor in History, 1991

Tulane University, Adjunct Associate Professor in History, 1988-90

George Washington University, Instructor to Adjunct Associate Professor, 1972-85

George Washington University, Director, History and Public Policy Program, 1980-82

Education
Ph.D., George Washington University, 1972

M.A., University of Oklahoma, 1956

B.A., University of Oklahoma, 1954

DAVID G. MARWELL

Biographical Information

On July 1, 1994, the Berlin Document Center (BDC) was transferred to the German Federal Archives (Bundesarchiv) marking the end of nearly 48 years of American control of this unique organization. With an estimated 25 million Nazi-era personnel-related files, the BDC was once a crucial source of evidence for the Nuremberg Trials and is today an incalculably important source for the study of the Third Reich. The transfer also marked the end of David Marwell's tenure as Director of the BDC.

A well-trained scholar with a PH.D. in History, Marwell came to Berlin in 1988 from the Office of Special Investigations (OSI), U.S. Department of Justice where he held the position of Chief of Investigative Research. At OSI, he was involved in researching and preparing cases against accused Nazi war criminals residing in the United States. In addition, he was selected to participate in the Klaus Barbie Investigation (1983) and played a major role in the Josef Mengele investigation (1985), both of which received international attention.

In connection with the Joseph Mengele and Klaus Barbie investigations, Marwell was in charge of assembling all relevant documentary evidence relating to any possible connection between these individuals and U.S. institutions or personnel. The investigations were two of the most unusual ever undertaken and through them he gained siginificant experiences in the identifying and locating documentary resources. The former Director of OSI, Allan A. Ryan, Jr., in his book *Quiet Neighbors: Prosecuting Nazi War Criminals in America*, described Marwell as "an experienced and careful historian who could find documents in archives when no one else could."

When Marwell arrived at the Document Center, the institution had been rocked by a scandal involving a significant theft of documents. The resulting focus on the Center revealed that it had been neglected in many areas for many years and suffered from an outmoded administrative structure, a disaffected and undertrained staff and a lack of professional guidance. It was Marwell's job to bring the Center up to standard and prepare it for turnover to the German government.

The challenges facing Marwell were not only to manage a complex institution (with an annual budget of eight million deutschmarks) and repair past deficiencies, but also to define a future for an institution in transition. He prepared a "five year plan" for the BDC that set five goals, developed a corresponding program to meet each goal, and designed a system to monitor the progress. In achieving all of the goals, Marwell

- Introduced computer technology (there was not a single computer at the BDC when he arrived) and developed a sophisticated, integrated information retrieval system that has been described as a model for archive administration;

- Created a fully professional document conservation and restoration program;

- Developed a staff (50 Germans and 20

T. Jeremy Gunn
1652 Wild Pine Way
Reston, Virginia 20194
(703) 481-8196

EDUCATION

Ph.D. **Harvard University**, Committee on the Study of Religion, 1991
Field: Religion and Society
Affiliation: Graduate Associate, Center for European Studies
Awards: French Government Grant; Krupp Foundation Fellow, Gilbert Chinard Award, *Institut Français de Washington*; Center for European Studies Grant

J.D. **Boston University School of Law**, 1987, *Magna cum laude*
Awards: Hennessey and Liacos Distinguished Scholar

A.M. **University of Chicago**, General Studies in Humanities, 1978
Award: University Fellowship

B.A. **Brigham Young University**, International Relations and Humanities, 1974, *High Honors with Distinction* (highest 1%)
Awards: several scholarships

EMPLOYMENT

General Counsel and Associate Director for Research and Analysis, JFK Assassination Records Review Board, Washington, D.C., 1994-present

Covington & Burling, Associate Attorney, Washington, D.C., 1988-94
Practice Areas: international law (public and private); civil litigation (including class action and other complex cases); appellate (including Supreme Court) litigation; extensive church-state litigation; and six month full-time work in poverty law for Neighborhood Legal Services Corporation.

United States District Court, Law Clerk to the Honorable Douglas P. Woodlock, Boston, MA, 1987-88

Ropes & Gray, Summer Associate, Boston, MA, 1987

Goodwin, Procter & Hoar, Summer Associate, Boston, MA, 1986

TEACHING EXPERIENCE

Harvard University, Graduate Teaching Fellow, 1980-84

Ethics and International Relations (Stanley Hoffmann)
Rise of American Power (Ernest May)
Art and Politics (Simon Schama)

Paris and London in the Nineteenth Century (John Clive)
Moral Values in European Thought (James Wilkinson)
French Society and Politics 1715-1815 (Patrice Higonnet)
French Society and Politics 1815-1945 (Patrice Higonnet)

Massachusetts Institute of Technology, instructor in History, 1980-81; 1981-82

Brigham Young University, Instructor in History and Humanities on overseas study program in Paris, France 1975

PUBLICATIONS

Book

A Standard for Repair: The Establishment Clause, Equality, and Natural Rights (New York and London, 1992)

Articles

"Freedom of Religion or Belief, Ensuring Effective International Legal Protection," *American Journal of International Law* (1996) (book review) (forthcoming)

"Adjudicating Rights of Conscience Under the European Convention on Human Rights," in *Religious Human Rights in Global Perspective: Legal Perspectives* (John Witte and Johan van der Vyver, eds., 1996), 305

"The Promises We Keep: Human Rights, the Helsinki Process, and American Foreign Policy," 88 *American Journal of International Law* 854 (1994) (book review)

"Neutrality, Expression, and Oppression," 23 *Journal of Law & Education* 391 (1994)

"Applying Coercion: The Latest Element of Establishment," in *Why We Need Public Schools: Church/State Relations and Visions of Democracy* (Art Must, ed., 1992)

RECENT PROFESSIONAL ACTIVITIES

Chair, Committee on Human Rights, District of Columbia Bar (1995-present)
Co-Chair, Committee on Public International Law, District of Columbia Bar (1994-95)
General Counsel, National Committee for Public Education & Religious Liberty (1990-94)
Member, Board of Directors, Washington Council of Lawyers (1993-present)
International Advisory Board, World Report on Freedom of Conscience and Belief
U.S. Institute of Peace Working Group on Religion, Ideology, and Peace (1994-present)
Who's Who of American Lawyers (8th ed.)